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April 17, 2002 LB 490, 918, 1105

companies, wireless companies, that violate the rules and regulations if they access the...the Universal Service Fund. We felt that that was the law before, but we wanted to make sure that, due to some language concerns, that this...this definitely plugged that technicality. Mainly, LB 918 was technicalities. LB 918 came out of committee without any dissenting votes. We worked with the commission and with the industry in the contents of LB 918 and I feel it's in good shape to add to LB 1105 it complements in effect, LB 1105 in the telecommunications rewrite and it really is essential to that bill, mainly for technical cleanup and recodification purposes. The other content of the amendment is on page 6 and is LB 490, which is another bill from our committee that came out without any dissenting votes, unanimous, and this bill clarifies the law that we have on the books which pertains to loose loads on vehicles and provides that vehicles must have the cargo and contents adequately secured to prevent falling of the contents or the cargo. The ... the means of securing must be tie-downs or tie-down assemblies or adequate sideboards or rear-end gates, This arises out of the ... actually, it was brought end boards. to my attention as a result of an accident that occurred resulting in a fatality to a Saunders County resident and a situation where a trencher fell off of a vehicle, off of a trailer, and the trailer was small enough that it wasn't subject to the tie-down requirements that we have under the motor carrier and federal regulations. And so the conclusion of the county attorney, and also the Attorney General I think was also consulted on the matter, was that we really had no statute that addressed the situation. Possibly they could file littering but could file nothing else because it wasn't a large they commercial size vehicle that this trencher fell off of. So this would at least provide that that...that that is illegal, not to secure cargo, and would result in a Class IV properly misdemeanor if a person violated that section. So, with that, I will conclude the...my opening comments and be glad to try to answer questions if there are any. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Bromm. You've heard the opening on AM3533, offered by Senator Bromm to LB 1105. Open for discussion. Senator Beutler.